

would amend Section 48-816 to provide that, "A supervisor shall not be included in a single bargaining unit with any other employee who is not a supervisor." This new language is merely a codification of what the Nebraska Supreme Court ruled in 1976 in NAPE v. Game and Parks Commission, (197 Nebraska 178, in 1976). In that case the court said, "We hold that supervisory or managerial personnel may not enter into a bargaining unit with rank and file employees," et. at 180. This portion of the new language in the Wesely amendment, on page 5, is not intended to in any way alter the state of CIR laws construed by the Nebraska Supreme Court. This portion of the amendment only creates a purpose expressly stated in statute for enactment of the proposed definition of the term "supervisor" as contained in this bill. Insofar as the Wesely amendment would actually reaffirm supervisor bargaining units in statute, public employees would realize a gain which has not been specifically sought during the history of this legislative proposal. Further, it has been agreed by both sides of this issue that this statement of legislative intent specifically overrides any references to specific case law with regard to this issue, and directs the CIR and Nebraska Supreme Court, that they should look for direction to the entire body of federal case law with regard to the issue of definition of supervisor. I move to return.

SPEAKER NICHOL: Senator DeCamp, did you wish to speak again at this time? I didn't recognize you as closing. You said you were, but I did not recognize you because when I said that some other lights came on, so you were not necessarily closing. Senator DeCamp.

SENATOR DECAMP: Just to say the statement was read perfectly, in its entirety and without any additions or deletions.

SPEAKER NICHOL: Senator Haberman, on the motion to return.

SENATOR HABERMAN: Mr. President, members of the body, Senator Wesely, basically aren't you doing is...you say here, strike the original sections and all amendments thereto and insert the following new sections. Aren't you, basically, got a brand new bill here?

SENATOR WESELY: If you read the statement, if you heard what I just said, I think it would have explained the